

RECEIVED
CENTRAL FAX CENTERREMARKS

DEC 07 2006

I. INTRODUCTION

Applicants gratefully acknowledge the Examiner's indication that claims 15-19 and 32-41 have been allowed, and that claims 11 and 22 contain allowable subject matter. As noted in Applicants' previous response, claim 37 incorporates the features of claim 11, rewritten in independent form, while claim 38 incorporates the features of claim 22. Accordingly, claims 11 and 22 have been canceled, without prejudice. In addition, new claims 42 and 43 have been added. Support for the features of the newly added claims may be found on page 7, lines 9-16 of the specification (and corresponding drawings) of the present application and thus no new matter has been added.

Therefore, claims 9, 10, 15-21 and 32-43 are currently pending. Reconsideration of the patentability of rejected claims 9, 10, 20 and 21 is respectfully requested.

II. REJECTIONS OF CLAIMS 9, 10, 20 and 21 BASED ON 35 U.S.C.§102(b)

Claims 9, 10, 20, and 21 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,045,120 to Mittag et al. ('Mittag'). Claims 9 and 10 have also been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,205,303 to Gileta ('Gileta').

In the Response to Arguments section of the Office Action, the Examiner makes two assertions that Applicants respectfully disagree with: (1) that the recitation of a vertically oriented substrate is "mere recitation of intended

use of the tank and the lifting mechanism"; and (2) that at least some of the substrates (16) shown by Mittag are vertically oriented.

Among other limitations, independent claim 9 recites "a lift mechanism for lifting the vertically oriented substrate from the second portion of the tank." It is submitted that this feature is not mere recitation of an intended use, but rather, expresses a feature to which patentable weight must be given, namely, that the lifting mechanism is structurally adapted to lift a vertically-oriented substrate. It is emphasized that this feature, among others, does not merely recite an intended use.

While the Office Action also states that "at least some of the substrates 16 shown by Mittag et al are vertically oriented", Applicants respectfully request the Examiner to provide more specific support for this assertion, since the substrate conveyance paths (dashed lines) shown in FIGS. 1-5 of Mittag appear to indicate that a conveyed substrate is never aligned vertically within the disclosed apparatus and at most is aligned at an acute angle with respect to the horizontal plane. Gileta likewise appears to disclose substrate conveyance paths in an apparatus in which a conveyed substrate is never aligned vertically.

It is therefore submitted that neither Mittag nor Gileta anticipate the subject matter of claims 9, 10, 20 or 21. Withdrawal of the §102(b) rejections based on the references relied upon is accordingly respectfully requested.

III. NEW CLAIMS

New independent claim 42 recites a substrate shuttle operatively coupled within the tank having first and second

RECEIVED
CENTRAL FAX CENTER

sides for securely contacting a lateral edge of the substrate within the first portion and for shuttling the substrate to the second portion. New claim 43 depends from claim 42 and recites a pair of rails operatively coupled within the second portion of the tank to receive and support the substrate in a vertical orientation when lifted by the lift mechanism. **DEC 07 2006**

It is submitted that new claims 42 and 43 are allowable for at least the reasons discussed above with respect to independent claim 9 and also because they recite additional features not disclosed by the references relied upon.

IV. Conclusion

The Applicants believe all the claims are now in condition for allowance, and respectfully request reconsideration and allowance of the same.

If any fees are required, please charge Deposit Account No. 04-1696. The Applicants encourage the Examiner to telephone Applicants' attorney should any issues remain.

Respectfully Submitted,



Brian M. Dugan, Esq.
Registration No. 41,720
Dugan & Dugan, PC
Attorneys for Applicants
(914) 332-9081

Dated: December 7, 2006
Tarrytown, New York